IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

Bail Appl..No. 5520 of 2007()

CRIME NO. 1099/06 OF ALUVA POLICE STATION
CMP.3268/2007 of J.M.F.C.-I, ALUVA

.....

PETITIONER : 2ND ACCUSED;

JINEESH @ JINAPPI, S/O.RAJAN,
VAYALUPPADAM HOUSE, THATHAPPILLY,
KIZHAKKEPRAM, KOTTUVALLY, PARAVUR TALUK.

BY ADV. SRI.RAJIV NAMBISAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/09/2007, A/W. BA 5541 OF 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.Nos. 5520 & 5541 of 2007

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Dated this the 12th day of September, 2007

O R D E R

Second application for regular bail. The petitioners are 2nd and 6th accused in a crime registered, inter alia, under Section 395 I.P.C. The alleged incident took place on 24.8.2006. The petitioners were arrested on 9.7.07 and 23.7.2007 respectively. Their applications for regular bail were dismissed earlier by separate orders dt. 21.8.07 in B.A.Nos. 5069 and 5078 of 2007. The said applications were dismissed with the observation that the petitioners can approach this Court for bail later, not prior to 4.9.2007. Accordingly the present applications have been filed. The learned counsel for the petitioners pray that the petitioners may now be enlarged on bail.

2. The learned Prosecutor submits that the allegations are serious. The crime committed is grave. Investigation is not complete. In a serious crime like the instant one the investigators may be given reasonable further time to complete the investigation, submits the Prosecutor.

3. I have considered all the relevant inputs. I have already adverted to facts in detail in the orders referred above. In these circumstances it is not necessary for me to refer to facts in any greater detail in this order. This order is to be read in continuation of the said orders. I am not persuaded to agree that the petitioners can be granted regular bail at this stage. I find merit in the opposition by the learned Prosecutor and his submission that the Investigators may be given some further time to complete the investigation.

4. These applications are accordingly dismissed. But I may hasten to observe that the petitioners shall be at liberty to move the court for bail again at a later stage of the investigation, not at any rate, prior to 26.9.2007. The Investigators shall, in the meantime, make every endeavour to complete the investigation.

(R. BASANT)
Judge

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